

State of Minnesota
County of Crow Wing

District Court
Ninth Judicial District

Troy K. Scheffler,

Plaintiff,

Court File No.:

Case Type: Civil Other

Vs.

First National of Nebraska, Inc.,

Defendant.

SUMMONS

THIS SUMMONS IS DIRECTED TO:

First National of Nebraska, Inc.
1620 Dodge St
Omaha, NE 68197

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiffs Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.
You must give or mail to the person who signed this summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

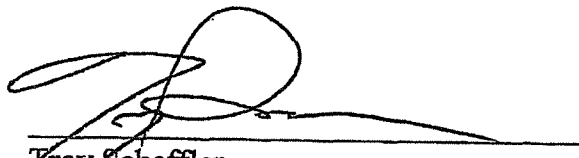
Troy Scheffler
Plaintiff Pro Se
26359 Shandy Trl
Merrifield, MN 56465
763-225-7702

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiffs Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.



Troy Scheffler
26359 Shandy Trl
Merrifield, MN 56465
763-225-7702

Dated: 06-03-2019

**State of Minnesota
County of Crow Wing**

**District Court
Ninth Judicial District**

Troy K. Scheffler,

Plaintiff,

Court File Number:

Case Type: Civil Other

Vs.

COMPLAINT

Jury Demanded

First National of Nebraska, Inc.,
Defendant.

COMES NOW THE PLAINTIFF AND STATES HIS CAUSE OF
ACTION AS FOLLOWS:

INTRODUCTION

Plaintiff Troy Scheffler sues Defendant for actions under the Telephone Consumer Protection Act (TCPA) 15 U.S.C. §1692. Plaintiff demands trial by jury.

SUBJECT MATTER JURISDICTION

1. This court has subject matter jurisdiction as a court of general jurisdiction in accordance with Minn. Stat. § 484.01 and 47 U.S.C. § 227(b)(3)

VENUE

2. Plaintiff lays venue in the district court, Second Judicial District, Crow Wing County, Minnesota, in accordance with Minn. Stat. § 542.09, as the events of the cause of action took place within Crow Wing

County.

PARTIES

3. Plaintiff Troy K. Scheffler is an adult man domiciled at 26359 Shandy Trl, Merrifield, MN 56465.

4. First National of Nebraska, Inc. is a corporation having a registered office address at 1620 Dodge St, Omaha, NE 68197.

FACTS

5. That on 02/17/2017, Plaintiff did telephone Defendant at 888-810-5673.

6. Plaintiff spoke to an employee of Defendant's named "Daniel".

7. Plaintiff informed Daniel that Defendant's automated telephone equipment was incessantly dialing his cellular phone and leaving messages.

8. Plaintiff demanded that Defendant stop using his cellular phone number to contact him.

9. Daniel then asked if Plaintiff would like to be put on the "do not call list".

10. Plaintiff agreed.

11. Daniel stated to Plaintiff that he would not receive any further

calls.

12. That Defendant did telephone Plaintiff's cellular phone on at least 02/19/2018 at 8:41am, 02/20/2018 at 2:37pm, 02/22/2018 at 1:04pm, 02/26/2018 at 5:53pm, and 02/27/2018 at 6:23pm.

CLAIMS

I. 47 U.S. Code § 227(b)(1)(A)(iii)

13. That on 02/17/2018, Defendant assured Plaintiff that he would no longer receive telephone calls by Defendant's automated telephone equipment.

14. That Defendant did telephone Plaintiff's cellular phone on at least 02/19/2018 at 8:41am, 02/20/2018 at 2:37pm, 02/22/2018 at 1:04pm, 02/26/2018 at 5:53pm, and 02/27/2018 at 6:23pm.

15. That Defendant willfully and knowingly used their automated telephone equipment to make said calls to Plaintiff.

16. Plaintiff seeks statutory damages per violation at treble amounts of \$1500 in the total amount of \$7,500.

WHEREFORE, Plaintiff Troy Scheffler prays for the following relief against the named Defendants:

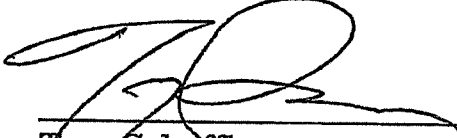
- A. Judgment in the favor of Plaintiff against Defendant;
- B. Statutory damages;
- C. Costs and disbursements in accordance with law;
- D. Prejudgment interest in accordance with law;
- E. Reasonable Attorney Fees; and
- F. Such other legal or equitable relief as this court is pleased to grant.

PLAINTIFF DEMANDS A TRIAL BY JURY.

VERIFICATION

Having reviewed the above complaint, plaintiff Troy Scheffler affirms under penalty of law that all statements above, excluding those made on information and belief, are true to the best of Plaintiff's present knowledge.

Date: 06-03-2019



Troy Scheffler
Plaintiff Pro Se
26359 Shandy Trl
Merrifield, MN 56465
763-225-7702

4/16/2019

Nebraska Secretary of State - Corporation and Business Entity Searches

FIRST NATIONAL OF NEBRASKA, INC.

Tue Apr 16 19:38:41 2019

SOS Account Number

0048283

Status

Active

Principal Office Address

1620 DODGE ST

OMAHA, NE 68197

Registered Agent and Office Address

MAUREEN O'CONNOR

1620 DODGE STREET

OMAHA, NE 68197

Nature of Business

BANK HOLDING COMPANY

Entity Type

Domestic Corp

Date Filed

Aug 26 1968

Corporation Position	Name	Address
President	CLARKSON D LAURITZEN	1620 DODGE ST OMAHA, NE 68197
Secretary	NICHOLAS W BAXTER	1620 DODGE ST OMAHA, NE 68197
Treasurer	TIMOTHY D HART	1620 DODGE ST OMAHA, NE 68197
Director	GEORGE J BEHRINGER	1620 DODGE ST OMAHA, NE 68197
Director	JOHN W CASTLE	1620 DODGE ST OMAHA, NE 68197
Director	MARGARET L DODGE	1620 DODGE ST OMAHA, NE 68197
Director	ROGER FLEURY	1620 DODGE ST OMAHA, NE 68197
Director	MICHAEL FOUTCH	1620 DODGE ST OMAHA, NE 68197
Director	BRUCE R LAURITZEN	1620 DODGE ST OMAHA, NE 68197
Director	CLARKSON D LAURITZEN	1620 DODGE ST OMAHA, NE 68197
Director	BRYAN SLONE	1620 DODGE ST OMAHA, NE 68197

4/16/2019

Nebraska Secretary of State - Corporation and Business Entity Searches

Corporation Position	Name	Address
Director	THOMAS C STOKES	1620 DODGE ST OMAHA, NE 68197

Filed Documents

To purchase copies of filed documents check the box to the left of the document code. If no checkbox appears, contact the Secretary of State's office to request the document(s).

	Document	Date Filed	Price
<input type="checkbox"/>	Articles Perpetual	Aug 26 1968	\$4.05 = 9 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Jul 16 1974	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Apr 27 1981	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jul 08 1981	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Aug 10 1981	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Apr 26 1988	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Mar 31 1989	\$1.80 = 4 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	May 04 1989	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Jun 26 1990	\$1.35 = 3 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jul 26 1990	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Aug 22 1990	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Mar 25 1992	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Jun 03 1992	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jun 12 1992	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jun 17 1992	\$1.80 = 4 page(s) @ \$0.45 per page
<input type="checkbox"/>	Reduction of Stock	Jun 17 1992	\$0.90 = 2 page(s) @ \$0.45 per page

4/16/2019

Nebraska Secretary of State - Corporation and Business Entity Searches

<input type="checkbox"/>	Document	Date Filed	Price
<input type="checkbox"/>	Proof of Publication	Jul 15 1992	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Apr 11 1997	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jun 18 1997	\$1.80 = 4 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Aug 07 1997	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 16 1999	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Mar 28 2000	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Apr 10 2001	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Apr 29 2002	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 25 2003	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 09 2004	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 23 2006	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Mar 27 2006	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Jan 24 2008	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Nov 25 2009	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Dec 28 2009	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Jan 27 2010	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Jun 28 2010	\$2.70 = 6 page(s) @ \$0.45 per page
<input type="checkbox"/>	Proof of Publication	Jul 23 2010	\$0.45 = 1 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Sep 28 2010	\$2.70 = 6 page(s) @ \$0.45 per page
<input type="checkbox"/>	Merger	Sep 28 2010	\$2.70 = 6 page(s) @ \$0.45 per page
<input type="checkbox"/>	Change of Agent or Office	Feb 03 2011	\$0.45 = 1 page(s) @ \$0.45 per page

4/16/2019

Nebraska Secretary of State - Corporation and Business Entity Searches

	Document	Date Filed	Price
<input type="checkbox"/>	Tax Return	Feb 16 2012	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 07 2014	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 12 2016	\$1.35 = 3 page(s) @ \$0.45 per page
<input type="checkbox"/>	Tax Return	Feb 26 2018	\$0.90 = 2 page(s) @ \$0.45 per page
<input type="checkbox"/>	Amendment	Jun 06 2018	\$0.45 = 1 page(s) @ \$0.45 per page

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- If you need your Certificate of Good Standing Apostilled or Authenticated for use in another country, you must contact the Nebraska Secretary of State's office directly for information and instructions. Documents obtained from this site cannot be Apostilled or Authenticated.

☐ **Online Certificate of Good Standing with Electronic Validation**

\$6.50

This certificate is available for immediate viewing/printing from your desktop. A Verification ID is provided on the certificate to validate authenticity online at the Secretary of State's website.

☐ **Certificate of Good Standing - USPS Mail Delivery**

\$10.00

This is a paper certificate mailed to you from the Secretary of State's office within 2-3 business days.

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